

DRAFT
MINUTES OF THE MILFORD BOARD OF SELECTMEN MEETING
27 October 2003

PRESENT: Nancy Amato, Chairman
Cynthia A. Herman, Vice-Chairman
Noreen A. O'Connell, Member
Gary Daniels, Member
Len Mannino, Member
Katherine E.L. Chambers, Town Administrator
Darlene J. Bouffard, Recording Secretary

1.CALL TO ORDER: Chairman Amato called the meeting to order at 5:30 p.m.

2.MINUTES: The minutes of the October 13, 2003 meeting were presented to Chairman Amato for review. Vice-Chairman Herman requested a change to Page 5, Line 38 to remove the word "a"; Page 8, Line 31 to change to read " . . . prior to the licenses . . . "; and Page 9, Lines 3/4 change to read " . . . of what the Town and County tax on the property would be." Selectman Daniels requested a change be made to Page 1, Line 45/46 to read "If Nashua decides there is a problem and they do not come to an agreement with the Water District Committee, there may be no charter." Vice-Chairman Herman motioned to approve the amended minutes. Selectman O'Connell seconded. All members were in favor.

3. REPORTS OF BOARDS & SPECIAL COMMITTEES :

-Board of Selectmen Goals. There was nothing new to report.

-DO-IT Committee. There was nothing new to report.

-Recycling Committee. There was nothing new to report.

-Recreation Commission. See discussion with Kevin Tyska, Recreation Director, at tonight's 7:50 p.m. appointment.

-Regional Water District. There was nothing new to report.

-Merton Group. There was nothing new to report.

-Solid Waste Committee. There was nothing new to report.

-NRPC Update. There was nothing new to report.

-Impact Fee Committee. There was nothing new to report.

-Planning Board. There was nothing new to report.

-Conservation Commission. There was nothing new to report.

-Community Town Wide Planning Facilities Committee (CTWPF). There was nothing new to report.

-School Board. There was nothing new to report.

-Heritage Commission. There was nothing new to report.

-Personnel Committee. There was nothing new to report.

-MIDC. There was nothing new to report.

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-Zoning Board. There was nothing new to report.

There were no other reports for this evening.

4. APPOINTMENTS:

- 5:30 p.m. - Interview of Jeff Marshall for MACC Base Representative Position. At the October 13, 2003 Board of Selectmen meeting it was noted that Jeff Marshall, citizen, might be a good candidate for the upcoming vacancy on the MACC Base Board of Governors. At this meeting, it was noted Mr. Marshall had been involved with public safety for a while. He added his biggest concern was the position of the Board relative to the existing contract and expectations of communications and for this position. Mr. Marshall worked at MACC Base in 1990 and 1991, and then transferred to a different call center. He noted he knows what it takes to design and build a call center and how to manage a call center. He does not want to be in a position of spending a lot of hours in contract negotiations. Vice-Chairman Herman noted the contract ends at the end of December and the Board of Selectmen want to hold MACC Base accountable to the Town. All the municipalities involved and MACC Base need to have the lines a little more clear. It was noted it has been 5 years since a contract was negotiated, so right now there are a lot of meetings scheduled. Additionally, the budget is being negotiated so that takes a little more time. It was noted representation to MACC Base was an issue; Amherst agrees that those towns paying more for services should have more of a voice. Currently, MACC Base is asking for quite a bit of money for capital improvements for radios and other hardware, and Milford pays for most of that contract. Vice-Chairman Herman attended her first MACC Base budget meeting last week and felt MACC Base was fully aware of the problems that needed to be resolved.

Mr. Marshall asked what were the long-term expectations for the position and the Town? Chairman Amato responded the negotiations for the contract and budget were in process and indicated that Vice-Chairman Herman was working with MACC Base on it, but that Mr. Marshall could get involved in the meetings to get up to speed, and then he could start January 1, 2004. Chairman Amato indicated she felt Mr. Marshall had the background for this position and that he has been a volunteer firefighter for the Town for 3 years. Mr. Marshall indicated to the Board he considers keeping the communication lines open with safety personnel a must for this position. As far as representation, it needs to be decided how that will be done. Chairman Amato asked Mr. Marshall if he could represent the Board of Selectmen's position one-way or the other at MACC Base meetings. Mr. Marshall responded it would be a challenging part of the position. Vice-Chairman Herman noted the communication link would be the key to this position and that he would need to be comfortable going to the meetings to represent the Board of Selectmen. Mr. Marshall agreed and indicated he would speak to his wife about this position and agreed to let the Board know if he was interested in the appointment with a January 1, 2004 start date.

- 5:45 p.m. - Non-Public Session-Legal. Selectman Daniels motioned to enter into Non-Public Session at 5:45 p.m. for the purpose of consulting with Town Counsel. Selectman O'Connell seconded. All members were polled individually and assented to go into Non-Public Session. After discussion, Selectman Daniels motioned to come out of Non-Public Session at 6:30 p.m. Selectman O'Connell seconded. All were in favor. No announcements were made.

- 6:15 - Grugnale Site - Abutters and Neighbors Concerns. Rosemarie Howard, May Provencher, Dito Zilinski, Gary Howard, Art Provencher, Bobby Grugnale, Rita Grugnale, and Steve Trombly, were introduced to Board members to discuss their concerns regarding the Grugnale waste site. Ms. Howard explained the abutters and neighbors, as a group, indicated they felt like what was discussed previously with the Board had not been addressed. They indicated they did not feel Bucky Grugnale should be living on his property without paying taxes and utilities while renting out the main house on land that he was not paying taxes on because he says the land is polluted. Gary Howard, abutter, indicated the land was not polluted, it was just the water; Mr. Grugnale was using that as an excuse for not paying taxes and he is collecting rent on the big house and on the barn. Mr. Howard advised that Mr. Grugnale was portrayed as the victim because it was his father that dumped on the land, but he treats his land like a dump. He asked why should anyone have to pay taxes when Mr. Grugnale doesn't?

Art Provencher, Mr. Grugnale's cousin, explained he no longer lived in Milford, but he grew up there and does not think it is right for the neighborhood that this is taking place; it is not right that Mr. Grugnale does not need to pay

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taxes. Mr. Howard advised that Mr. Grugnale had told him that he needed to "keep quiet" or Mr. Grugnale would sue him. Additionally, the main house he is renting out is not up to code and nothing has ever been done about it.

Chairman Amato explained to the abutters that the Town is dealing with this issue and has retained counsel - this is moving forward and things are going to happen. Ms. Howard requested an explanation for what right Mr. Grugnale had to stay on his property, plus he is making threats to some abutters. Chairman Amato suggested if any threats were being made to contact Chief Douglas, who is aware of the situation. Selectman O'Connell added that there are underlying issues being worked on and because they are legal issues, the Board cannot discuss them. Ms. Howard asked how Mr. Grugnale could be so behind on his taxes when the Town only allows two years before the property is deeded for non-payment. Chairman Amato indicated a prior Board had made the decision not to seize the property and this Board is trying to work out a solution.

Town Administrator Chambers explained the Board has discussed this and that the EPA is out there to do testing. Until the testing is complete, the Board cannot do anything. She noted there are other people in Town who are behind in taxes. The Board is hoping to come to an end of the back taxes issue and is moving forward and asking for patience from the abutters. If there are threats being made, people need to call the police. Ms. Howard explained that Mr. Grugnale is telling people he has the Town right in his hand. Selectman O'Connell advised the Board is working on solving the problem.

John Peltonen, legal counsel on environmental matters, explained communities across the country share the frustration being expressed and he understands the frustration, and noted matters are moving forward. Ms. Howard asked what gives Mr. Grugnale the right to be on that land? Mr. Peltonen indicated Mr. Grugnale owned the land. Selectman O'Connell reiterated that the Board is taking steps to correct the problem. The Board of Selectmen is not ignoring the abutters - it is just a slow process. Ms. Howard indicated Mr. Grugnale shows no remorse and that he is beyond control. If Mr. Grugnale wants to live there, he should pay taxes. Selectman O'Connell indicated that through the sale of that property, the back taxes would be paid back to the Town, to which Ms. Howard indicated she did not feel the land was worth enough to cover the back taxes. Again, Chairman Amato indicated the Town is doing everything possible and has retained counsel. If there are problems, call any Board member who will call Mr. Grugnale. Vice-Chairman Herman added the Board is going through the process and has to wait to finish it. Ms. Howard asked how long before results will be seen? Selectman O'Connell advised the Board is working with the EPA, which takes time. Ms. Howard told the Board Mr. Grugnale did his share of contaminating that property in addition to what his father did. Selectman O'Connell noted the EPA clean up should start in November, which will show the abutters this is moving forward, but as of yet, there is no specific timeline on when it will be complete. Ms. Howard ended by saying she felt Mr. Grugnale should not be allowed to live on the property.

- 6:45 p.m. - Risk Management Proposal - Primex Insurance. Gary Stenhouse of Primex advised he had previously spoken with Town Administrator Chambers and went over the insurance rates with her about a month ago. Mr. Stenhouse wanted to review a report of claims for the Town compared to a like quantity of members in another pool. The performance is worse than would be expected. The rates are based on history. About a year ago, an initiative started that the Town may want to participate in because it may help the lower rates. The high loss initiative is working with members who want to help themselves to control risk and reduce loss over a 3-year period. Primex feels any accident is preventable. He added it did not cost anything for the Scope and Workplan to be implemented. The purpose of this effort would be to improve the member's performance in the Worker's Compensation and Property Liability Funds. Chairman Amato asked how much employee time this type of program would require. Mr. Stenhouse replied over a 3-year period it would take about 1000 hours, spread among the 105 employees. First, a survey is taken, and then each department is worked with. Every single claim is looked at to see if there is a pattern or if there is a particular department at greater risk. The Joint Loss Management Committee is looked at also. If it is found that a certain way of doing things could be improved to reduce injuries that would be included in the report.

Selectman O'Connell asked about the cost of the program. Mr. Stenhouse responded if this is something the Town wanted to do, there would be a commitment from the Town to stay with the program for two years after the survey is complete and a pledge to try to implement those changes that are recommended. He indicated the rates for the Town are going up substantially this year and will probably do the same next year. Selectman O'Connell summarized she understood that the survey was free, training and technical support are free (included in the rates already paid) and there would be no addition to what is already paid to get this assistance. Mr. Stenhouse indicated that was correct. The Board agreed to consider this, but made no decisions as that time.

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- 7:00 p.m. Firewards Transition. Firewards John Kelly, Bill McKinney, and Ken Hawes as well as Fire Chief Pauley were present at the meeting to discuss the transition of the Fire Department structure. Chief Pauley asked if there were any questions from the Board regarding the revised job description for the Fire Chief. Chairman Amato asked what in the job description would change with the new reorganization? Chief Pauley explained the only difference would be that the Fire Wards would no longer exist, so the Chief would report directly to the Board of Selectmen. Vice-Chairman Herman asked if the Chief would be in charge of all the fire codes. Chief Pauley answered enforcement of fire codes comes from the State; budget development would go to Town Administrator Chambers instead of the Fire Wards. He indicated the Chief would handle budget management as well as purchases of equipment. Vice-Chairman Herman asked if currently the Fire Chief position was responsible for hiring and firing or was that the duty of the Fire Wards? Chief Pauley indicated 6 months ago the Fire Wards changed the Fire Chief position so that it is the Chief's responsibility; previously, it was the Fire Wards responsibility. Vice-Chairman Herman asked if the Chief should stay up to date with new training? Chief Pauley answered yes, and suggested that he and Town Administrator Chambers come up with new verbiage to include that in the job description.

Selectman O'Connell noted she felt the phrases "as required" and "as necessary" are used a lot throughout the document. Chief Pauley indicated he does not respond to every call, which may be why those phrases are used, although he does respond based on the nature of the call or the severity of the incident. Selectman O'Connell is just concerned that in the future (for future Chiefs) it leaves it open for interpretation. Town Administrator Chambers suggested to the Board of Selectmen that Chief Pauley, one Selectman, one Fire Ward, and she work on the language to clarify it; by the next Board of Selectmen meeting, the documents will be clarified.

There was a question about providing formal evaluations for volunteer people, to which Town Administrator Chambers felt the on call people should be evaluated on a yearly basis as the full-time personnel are. Mr. McKinney explained the Fire Wards were trying to get some form of review done for the volunteers to review their progress with the department, but that can evolve to a yearly evaluation. Mr. Hawes also added that the Fire Wards did not want to overwhelm the volunteers with reviews because this is not their full-time job. Town Administrator Chambers, Chief Pauley, Mr. McKinney, and Selectman O'Connell will work on the language of the Rules, Regulations, and Standard Operating Guidelines for the next Board of Selectmen meeting.

-7:30 p.m. - Public Hearing for Local Law Enforcement Block Grant (LLEBG) 2003. Chairman Amato opened the Public Hearing at 7:35 p.m. Police Captain Winterburn explained a Public Hearing was required for this grant in order to receive and use the LLEBG grant money. The anticipated use of the funds is to train officers to investigate computer crimes. The total of funds from the Department of Justice is \$17,421 with \$1,936 being the Town match. The match has been appropriated for 2003 already. Captain Winterburn explained the grant could not be used for the same use year after year. He explained if the department could get training, we would get more for the grant money, it is hard to anticipate what next year's request would be for; it would depend on how far this money goes this year.

Vice-Chairman Herman asked if this is training for a separate unit of officers, or is it training for two regular officers that would be on a rotating basis. Captain Winterburn indicated he would like to stay with the same two people, and if it is a successful program, it could require additional funding at some point. The Town has 24 months to expend the money, which would be November 2003 until November 2005. Selectman Mannino is proud that the department has the initiative to take proactive steps in protecting the kids in the community under this grant. Selectman Daniels asked where the resources would come from for this? Captain Winterburn explained he would want to use existing officers that are experienced and train them specifically in computer related crimes, but it would not be a full-time position for the officers. A computer-based crime would be assigned to the trained officer to work on. Chairman Amato asked for public comment, of which there were none. There was no further action required from the Board. The Public Hearing was closed at 7:45 p.m.

-7:45 p.m. - Public Hearing on RSA 31:95; Acceptance of Funds & Items Made Available During the Year. Chairman Amato opened the Public Hearing at 7:45 p.m. and read into the record the acceptance for expenditure of the un-anticipated funds under RSA 31:95-b and the acceptance of gifts of property under RSA 31:95-e as follows:

Unanticipated Funds:

\$ 500.00	Milford Mediation - Contribution from the Town of Temple
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\$ 3,000.00	Milford Mediation - Contribution from the Kaley Foundation
\$ 100.00	Milford Mediation - Contribution from the Milford United Methodist Church
\$ 3,500.00	Host Homes Program - Contribution from the Town of Amherst
\$ 150.00	*Historic Eagle Relocation - Donation from Alene Candles for the expenses associated with facility alterations and relocation of the statue to the Town Hall
\$ 73.78	*Town Hall Functions - Fee based revenue generated from additional custodial services. Revenue will be used to cover the cost of the custodian's payroll and related benefits.
\$45,000.00	Cardiac Monitor Defibrillators for the Ambulance Department - Donations for the purchase of two cardiac monitor/defibrillator units for the Ambulance Department. \$5,000 - The Marchesi Foundation; \$38,500 - The Kaley Foundation; \$1,000 - Milford Rotary; \$500 - Wal-Mart Foundation
\$ 100.00	*Donation to Fire Risk Watch Program - \$100 Fundraising Dance
\$ 1,000.00	*Donation to be used for the Benefit of Emergency Management. This donation is from the Wal-Mart Foundation and will be used toward purchasing an emergency back-up power supply for use by multiple departments in the event of a crisis.
\$24,000.00	NHOEM - Generator Grant - Federal Grant Funding for the purchase of an emergency generator - a local match of \$8,000 is required.
\$ 6,000.00	Donations towards the local match portion of the NHOEM - Generator Grant \$2,000 - The Marchesi Foundation; \$4,000 - The Kaley Foundation
\$ 1,670.62	FY2003 Bulletproof Vest Partnership Grant - Federal OJP Grant Funding to pay 50% of the cost of approved vest purchase. 50% match is Required. Match to be funded by the 2003 Police Department Budget.
\$12,254.00	NHOEM - FY02 Supplemental Planning Grant - Federal Grant Funding for the revitalization of the Local Emergency Planning Committee with the Purchase of a laptop computer for the Fire Department and the hiring of a temporary Part-time person to organize, catalog, and database the SARA Title III community Right to Know information. No local match is required.
\$ 5,200.00	NHOEM - Emergency Operations Center Grant - Federal Grant Funding for the establishment of a functional Emergency Operations Center to Respond to local emergencies. A local match of \$5,200 is required. Match to be Funded by the 2003 Emergency Management Department Budget.
\$ 2,000.00	NHOEM - Outside Training Grant - Federal Grant. Funding for training for OEM members and other critical personnel. A local match Of \$2,000 is required. Match to be funded by the 2003 Emergency Management Department budget.
\$ 750.00	NHOEM - Drill and Exercise Training Grant - Federal Grant. Funding for observing/evaluating state and/or local exercises outside of OEM's Jurisdiction. A local match of \$750 is required. Match to be funded by the 2003 Emergency Management Department budget.
\$ 4,072.00	NHOEM - FY03 Emergency Management Performance Grant - Federal Grant. Funding to retrofit a 1995 "class one" ambulance with the State Fire Marshall's Interoperable Communications system to service Southern NH. A local match Of \$1,357 is required. Match to be funded by the 2003 Emergency Management Department budget.
\$17,924.35	FEMA - Snow Disaster Grant - Federal Grant Funding for Disaster Public Assistance for costs from the snow event for the Period of February 17 through February 18, 2003. A local match of \$5,744.98 Is required. Match to be funded by the 2003 Highways & Streets budget.

Gifts of Property:

Mary Kay Products with a donated value of approximately \$300.00. Items were Donated to the Milford Welfare Department by Carol Howard.

Two (2) Dynamic Electronic Message Signs for the Milford Police Department.

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Signs were donated by the NH DOT with an approximate value of \$29,500.00.

Two (2) Computer Monitors with a donated value of approximately \$100.00.
Items were donated to the Town of Milford by Cynthia Herman.

Computer Equipment for the Milford Office of Emergency Management. Items
Were donated by Tim Finan with an approximate value of \$200.00.

*These revenues are from ongoing projects and are to be accepted on that basis. The
actual amount authorized for expenditure will be the total amount collected for each project.

Selectman Mannino asked about the status of the message signs included in the list. Town Administrator Chambers indicated a memo was received from the State today, so the signs should be coming. Vice-Chairman Herman asked about Milford Mediation and why the Town has to receive those funds. Town Administrator Chambers explained the Town acts as the agent for Milford Mediation so it must receive the funds. Chairman Amato asked for public comment, of which there were none. There was no further action required from the Board. The Public Hearing was closed at 7:52 p.m.

-7:50 p.m. - Recreation Commission Role. Kevin Tyska, Recreation Director, has requested clarification regarding his role and the role of the Recreation Commission. Mr. Tyska does not have the answers to a lot of questions regarding the Recreation Department and Recreation Commission chains of command and felt he was caught in the middle and does not know where he falls. All conversations that were had with Commission members reflect that they are confused as well. It was noted there is a lot of work to do to rebuild the department. Selectman O'Connell noted there is a meeting on Tuesday November 4, from 4-6 p.m., at which these issues need to be addressed. The Recreation Commission is going in one direction and the Board of Selectmen is going in another. More than 15 minutes (tonight) is needed to work this out. Selectman O'Connell hopes many Board members and Commission members can attend to work this out. Mr. Tyska noted a lot of changes have come to play recently which should be taken into consideration. This just needs to be ironed out to be able to rebuild the department. Town Administrator Chambers asked who can attend the meeting and if some decisions can be made if there is a quorum? Chairman Amato, Vice-Chairman Herman, and Selectman O'Connell all will attend the meeting. Selectman Daniels will submit his thoughts to those members who will be present (as he will be unable to attend the meeting). Selectman Daniels would like to establish that Mr. Tyska should report directly to Town Administrator Chambers. All Board members concurred. Selectman Daniels motioned to accept that Mr. Tyska report directly to Town Administrator Chambers. Selectman Mannino seconded. All were in favor.

Town Administrator Chambers asked about how the General Fund monies were managed and if that should remain the same? Chairman Amato believes the Chairman of the Recreation Commission would like it to be handled the way it was in the past (before default budget). In the past year, advised Town Administrator Chambers, when going through all the changes in Town, the two distinct funds were combined into one accounting presentation to make it easier to follow, but at this time, the two funds should be separated to see the separation of the monies more clearly. Selectman O'Connell indicated it was decided at Town Meeting that the Recreation Commission be in charge of the Revolving Fund, so that should go back to them. Town Administrator Chambers asked if the 2004 budget proposal should be separated the way it used to be? Vice-Chairman Herman responded by stating the Board has put the Recreation Director under Town Administrator Chambers, but the Revolving Fund would be under the Recreation Commission - it would still be difficult for him to run the department if he does not have control over the funding. Once the funds are separately stated, Town Administrator Chambers advised, everyone would see that it is difficult to operate unless the funds are combined. Selectman Daniels suggested the Board think back to a couple of years ago when the Recreation Director position was taken away, if the funds were under the Recreation Director, how would the funds be used if the position was taken away again? Mr. Tyska indicated he felt the Commission is a wonderful resource, it just needs to come together; when it works right it really works.

5. UNFINISHED BUSINESS:

-Form of Town Government Study Committee. At the last meeting, the Board of Selectmen wanted to re-visit the idea of forming a committee to review the form of town government used in Milford. Selectman O'Connell felt a committee

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of seven people with two alternates would be a good number because this committee will continue for a while. Town Administrator Chambers agreed, especially if there is a charter to be developed because that gets very involved. Vice-Chairman Herman indicated if this committee goes into developing a charter, there would be a need for Town employees to get involved. Selectman O'Connell indicated she did not feel it should be the Board of Selectmen that decide what to do in the next 10 years. Chairman Amato asked if NRPC could help with this? Town Administrator Chambers indicated she thought this sort of change needed to come from the outside in, not the inside out. Selectman Daniels agreed, stating it needed to have a finite period of time identified. Vice-Chairman Herman felt it would be more valuable to be open ended than to put a time limit on it. Chairman Amato felt if it were opened up, it would allow anyone to join which would get input from all angles. On the charter, however, Vice-Chairman Herman felt that time should be limited. Town Administrator Chambers will put an ad in the newspaper to find interested people by November 20, for discussion at the following Board meeting. A staff liaison will also be needed. Town Administrator Chambers indicated it should be the Town Administrator. School Board Chairman Peter Bragdon, in the audience, indicated he would be interested in participating on the committee.

-MIDC - BROX Property Marketing. Bill Parker, Town Planner, was going to get in touch with the Chairman of MIDC to set a date to meet with the Board of Selectmen. A tentative date has been set for November 12 at 7:30 a.m.

-Proposed Town Fees Modifications.

Tax Mapping. Bill Parker, Kevin Lynch, Building Inspector, and Greg Heyn, Town Assessor, have proposed a new fee be required to cover costs of tax mapping revisions based on new subdivision approvals. A rate of \$30 per lot is proposed to cover the costs incurred by the Town. Selectman Mannino motioned to approve the \$30 per lot fee for tax mapping. Vice-Chairman Herman seconded. All were in favor.

Sewer Connection. Tom Neforas, Wastewater Superintendent, has proposed an increase of \$25.00 to sewer connection fees. Selectman Mannino motioned to increase the fees to \$125 Residential (\$25 increase) and \$250 Commercial (\$50 increase). Vice-Chairman Herman seconded. All were in favor of the motion, except Selectman Daniels who was opposed.

Ambulance Service. Additional information was provided by Eric Schelberg, Ambulance Service Director, for the increase in services proposed at the October 13, 2003 Board of Selectmen meeting. Chairman Amato requested more time in order to review the information provided. Vice-Chairman Herman motioned to table. Selectman Mannino seconded. All were in favor.

-Fuel Oil Bids Recommendation. After reviewing bids from various companies, William Ruoff, DPW Director, provided a recommendation to the Board of Selectmen to award the fuel oil contract to Draper Energy Company of Wilton NH, at a price of \$.9005/gallon. Selectman Daniels motioned to accept the recommendation of the DPW Director. Vice-Chairman Herman seconded. All were in favor.

-Pending Petition from Verizon and PSNH for Pole Licenses & Buried Cable and Conduit Location. Town Administrator Chambers indicated she has spoken to Verizon and asked the status of the outstanding issues that have delayed the Board from approving the petitions requested at the previous Board meeting. She was told the Union Street pole problem should have been done that day and Whitten Road pole issue was awaiting approval for a right of way problem and should be done in two weeks. After checking, Town Administrator Chambers found that the Union Street problem was only partially complete. Vice-Chairman Herman motioned to leave these requests tabled. Selectman O'Connell seconded. All were in favor.

-Community Religious Leaders Presentation to the Board. At the last Board of Selectmen meeting, a presentation was made regarding a commitment of local religious leaders regarding marriage and it was suggested the signed covenant be displayed in Town Hall. Selectman Daniels suggested there are religious overtones to the covenant and if it were mounted, the Town would be obligated to display other religious articles. Selectman Daniels spoke to Pastor Miller about this and he indicated he thought it would be best to return the covenant to be displayed at one of the churches. He expressed it was a good initiative by the religious leaders and it should be displayed somewhere. Selectman Daniels motioned to take the presentation under advisement and return the covenant to its presenters. Vice-Chairman Herman seconded. All were in favor.

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-Ratification of Telephone Pole RE: Appointment of Cynthia Herman as the MACC Base Representative. Selectman O'Connell motioned to approve Vice-Chairman Herman as the MACC Base representative until the end of 2003. Selectman Mannino seconded for discussion. Vice-Chairman Herman indicated there is a meeting on Thursday but that she has a water district meeting on that night as well. She suggested an alternate member of the Board attend one of the meetings. It is important that Vice-Chairman Herman be at the November 6, 2003 MACC Base meeting because it is a budget meeting. Selectman O'Connell and Chairman Amato can attend the water district meeting at 6:30 in Bedford. All were in favor of the motion.

-Setting Dates and Locations for 2004 Budget Hearing and Deliberative Session/Publication of Voters Guides. The date for the Deliberative Session will be Saturday, January 31 at 9:00 a.m. at the Town Hall auditorium. A post card will be sent to all residents to notify them of the Deliberative Session and let them know to pick up a copy of Voters Guide at the Library or Town Hall, instead of mailing them to everyone. The warrant in the form of a second voters guide will be mailed to everyone after the Deliberative Session. The Town Budget and Bonds hearing is scheduled for January 19 at 6:30 p.m. at the Town Hall Auditorium.

-Town Wrecker Rotation Policy. Town Administrator Chambers explained she and Chief Douglas were working on the policy revisions and will try to have something for the next Board of Selectmen's meeting.

-Consideration of a Traffic Light at the Nashua St. & Power St. Intersection. Town Administrator Chambers explained that Saint-Gobain called to check on the progress of this effort to collect money to fund a traffic study to determine if a traffic light is needed on Nashua Street. The Saint-Gobain representative stated another company would be sending in a check. Town Administrator Chambers will keep the Board of Selectmen up-to-date on this effort.

-Public Access Television Channels. This item is awaiting a plan from Tim Finan.

-Appointment of 9-1-1 ALI Database Liaisons. Following the expressions of concerns regarding the changes being made to the 9-1-1 database Town Administrator Chambers called the State who explained the Town would not have access to database to make corrections themselves. Instead, requests for modifications will be made by the State and verification of the changes will be sent to the Town. Kevin Lynch, Building Inspector, will be the primary person involved. Vice-Chairman Herman motioned that Mr. Lynch would be the primary liaison and Fletcher Seagrove to be the secondary liaison. Selectman Daniels seconded. All were in favor.

-Intersection of Savage & McGettigan Roads. Town Administrator Chambers has notified Wilton Selectmen and Planning Boards and has heard nothing back yet.

6.NEW BUSINESS.

-Chief of Police on Outside Details. Selectman Mannino found that following the MRI report several years ago, a procedure was established that would not allow the Police Chief to do traffic details in the Town of Milford on his days off, but could do the same in another town. At that time, it was felt the Chief should not do details on his days off, but it would allow him to do details in neighboring communities. Selectman Mannino would like to recommend the Chief be allowed to do details on his time off in any community. Vice-Chairman Herman asked about the union and if it says anything about this? Town Administrator Chambers responded it is allowed. Vice-Chairman Herman asked how an organization goes about hiring an officer for a detail? Town Administrator Chambers advised it is on a rotating basis. Vice-Chairman Herman asked if the union could prevent him from doing details? Selectman Mannino replied this is regarding his days off and the Town should not regulate what he does on his days off. The officers can do these details, but this procedure prevents the Chief from it.

Town Administrator Chambers indicated she did have a little history on this, including that when the Chief was out doing details many townspeople felt he should be doing "Chief business", not traffic details. Also, when details are added onto the yearly earnings, it raises the yearly income and causes subordinates to earn more than their superiors and/or supervisors. Selectman O'Connell felt if the Chief did a detail in this community that would be a good thing because it gets him out and into the community. Faye Richey, citizen, asked if there was a complaint about the Chief's performance during the detail, who would that go to? Town Administrator Chambers responded the complaint would go to the Town Administrator or the Board of Selectmen. Selectman Mannino expressed he felt the Chief should be allowed to do details on his time off in any community. Selectman Daniels does not have a problem

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with the Chief doing details on his own time, but was unsure if he should be added to the detail rotation. Selectman O'Connell asked why this was brought up? Selectman Mannino replied he had a conversation with the Chief recently it came up and Selectman Mannino felt it did not make sense. Selectman Daniels motioned to allow the Chief to cover details in the Town of Milford on the days that he is not working. Selectman O'Connell seconded. All were in favor.

-Appointment of School Board Member (RSA 671:33). Chairman Amato requested some background on this appointment that has fallen to the Board of Selectmen, as she has no other information than what was reported in the Cabinet. Chairman Amato was aware that five people were interested in the vacant position as follows: Jack Danhof, Rick Keating, Kevin Maxwell, Bob Willette, and Bert Becker. This position would be from now until March 2004 when new members would be elected for a full term. Peter Bragdon, Cara Barlow, and Paul Dargie of the School Board were also in attendance, as well as Selectman Daniels who is a School Board member as well. Selectman Daniels indicated that he would be able to vote in the Board of Selectmen appointment, as this is a different Board than the School Board.

Jack Danhof was not present, however. Chairman Amato indicated he has been involved in the budget process and felt he would be good for this position, but he would not run in March. Rick Keating was also not present. Kevin Maxwell explained he has lived in Milford for about 9 years and grew up in Amherst. He has four kids and considers himself fiscally conservative. Mr. Maxwell has had a lot of contact with the schools over the years and is in the schools a lot, he has gone on field trips, knows the administration and the school superintendent. Mr. Maxwell thought this would be a good chance to make a difference. Mr. Maxwell also works part-time as a Truant Officer. Chairman Amato asked if Mr. Maxwell would be interested in running in March. Mr. Maxwell indicated he could not give a definite answer; he would need to see how it affects his family. Selectman Mannino indicated he knew Mr. Maxwell very well and had no questions. Bob Willette explained he has lived in Milford for 60 years and has paid taxes for 50 of those years. Mr. Willette has budget committee experience, (15-20 years) both Town and school budgets. He thought this was a good opportunity to serve the Town. He indicated this would be a 5-month period to see if he wanted to run in March. If he were not interested in running in March, he would not be here tonight. Bert Becker has been a member of the Budget Committee for the school since 2001 and is the Chair for this year. In the past 2 years, he has attended every School Board meeting and indicated it has been fascinating. Sometime in the 1950's, Mr. Becker was the PTA President in Nashua. Mr. Becker retired in December 1989 and had worked for an aerospace electronics corporation for 35 years and served in the military. He has been in Milford for 14 years. Mr. Becker has been a Library Trustee for 3 years and would possibly run for the School Board in March; it would depend on whether he felt he was useful to the School Board.

Selectman O'Connell asked how an appointment could be made out of the five candidates, how would the Board of Selectmen vote? Vice-Chairman Herman suggested a member make a motion. Selectman Daniels explained the School Board had already narrowed the field down to two people: Mr. Becker and Mr. Willette. When the School Board voted, it was a 2-2 tie. Selectman Daniels motioned to limit the votes to the two nominations selected at the School Board meeting - Mr. Becker and Mr. Willette. Vice-Chairman Herman seconded for discussion. Selectman Daniels continued that when the two men were nominated, each member chose the person they felt was most qualified. It would benefit everyone to preserve the School Board vote to just select from the two that were nominated by them. Chairman Amato indicated she would like the opportunity to vote on any of the candidates, as did Selectman O'Connell. Selectman Mannino felt by doing that, the Board would be ignoring the School Board having narrowed the field down to two candidates. Mr. Dargie indicated all of the candidates are viable and he felt Mr. Becker would be the best choice, not to say the others would not be a good choice. Mr. Dargie encouraged the Board of Selectmen to look at all the candidates. Ms. Barlow agreed the Board of Selectmen should look at all the candidates. Mr. Bragdon noted the School Board would soon be getting the budget and would soon need to make a choice on a superintendent. He indicated the School Board needed someone who could hit the ground running with experience. If Mr. Becker were to be selected, he would need to step down from the Budget Committee. Mr. Willette noted he was on the Superintendent Committee. Selectman Mannino was in favor of the motion to choose from the School Board nominations; they are two very qualified people and he would like to follow their lead. All were in favor of the motion, except Chairman Amato and Selectman O'Connell who were opposed. The motion passed with the decision to only choose from the School Board nominations of Mr. Willette and Mr. Becker.

Selectman Daniels motioned to appoint Mr. Willette to the School Board until March 2004. Vice-Chairman Herman seconded. All were in favor of the motion, except Chairman Amato and Selectman O'Connell who were opposed.

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-Request for Budget Line Item Transfer. Chief Pauley has requested a budget line item transfer for the 2003 operating budget to cover the costs associated with the semi-annual preventative maintenance service work completed in September as follows:

The remaining balance of \$4,741.62 in line item 12202-512402 WAGES-PT & TEMP STEWARD
Be transferred to line item 12202-543210 PREVENTATIVE MAINT-VEHICLES

Chief Pauley has requested a budget line item transfer for the 2003 operating budget to cover the costs to perform major pump repairs and other mechanical work to Engine 3 as follows:

A transfer of \$8,000.00 in line item 12202-511000 WAGES – FULL-TIME and \$5,000.00 in
Line item 12202-512401 WAGES - PT & TEMP-CALL to line item 12202-543200 CONTRACTUAL
VEHICLES

Vice-Chairman Herman motioned to approve the 2003 budget line item transfers as requested by Chief Pauley. Selectman Daniels seconded. All were in favor.

-Acceptance of FEMA Grant for the Purchase of New Firefighter's Protective Clothing. Chief Pauley notified the Board of Selectmen of the successful grant application and FEMA award of \$82,500.00 to replace the existing protective clothing, with a Town match of \$8,250.00, which is requested in the 2004 Fire Department operating budget. Selectman Daniels motioned to accept the FEMA grant in the amount of \$82,500.00. Vice-Chairman Herman seconded. All were in favor.

-Request from Adelphia to Waive the Required Waiting Period for Implementation of HDTV Equipment Rate Fees. Adelphia has requested a waiver of the 60-day waiting period following FCC Form 1205 submission, thus allowing the HDTV service to be available to customers November 1, 2003 instead of the January 1, 2004 start date. Vice-Chairman Herman does not want to give anything to Adelphia, and indicated she felt they could wait the 60 days and start January 1. Selectman Daniels suggested having Adelphia lower the cost from \$7.95 to \$6.95 and granting the waiver. Vice-Chairman Herman indicated the Adelphia customers have been waiting for this service for a while and the Town should not let them make more money by approving this waiver. Selectman O'Connell motioned to grant the 60-day waiver to implement HDTV. Selectman Mannino seconded. All were in favor of the motion, except Vice-Chairman Herman and Selectman Daniels who were opposed.

-Request for the Repainting of the Dedication Plaque on the "Swinging" Bridge. A request has been made by a Town resident to repaint the sign leading to the Swinging Bridge. Town Administrator Chambers to refer this request to Bill Ruoff, DPW Director, to identify the cost and feasibility and get back to the Board of Selectmen.

-Request to Rescind a Current Use Penalty and Warrant. Greg Heyn, Town Assessor, has recommended the Board of Selectmen to rescind the Current Use Penalty and the Warrant directing Peggy Langell, Tax Collector, to collect the penalty. Vice-Chairman Herman motioned to rescind the Current Use Penalty as recommended by the Town Assessor, Greg Heyn. Selectman Daniels seconded. All were in favor.

-Request for Water/Sewer Abatement. An abatement request which was unanimously approved at the October 13, 2003 Board of Selectmen's meeting had the incorrect abatement amount of \$169.67 which has been requested to be rescinded by the Water Department. Vice-Chairman Herman motioned to rescind the incorrect abatement in the amount of \$169.67. Selectman Daniels seconded. All were in favor.

The corrected abatement request was unanimously approved on motion made by Vice-Chairman Herman and seconded by Selectman Daniels as follows:

Account	Location	Sewer	Water
Total			
6058200	159 Elm Street	\$216.84	0
			\$216.84

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-Petitions from Verizon and PSNH for Pole Licenses. Petition and Pole License petitions were requested from Verizon and PSNH. Vice-Chairman Herman motioned to table until all other related work by Verizon and PSNH was complete. Selectman Daniels seconded. All were in favor.

-Discussion of Holiday Card Giving. Town Administrator Chambers noted that in the past the Town has sent out holiday cards to the major vendors used by the town. This effort costs about \$120, not including the employee time. Town Administrator Chambers was in favor of not sending these cards out. Board of Selectmen members agreed and felt those vendors should be sending cards to the Town.

-Non-Public Session - Negotiations. Vice-Chairman Herman motioned to enter into Non-Public Session for the purpose of union negotiation at 10:21 p.m. Selectman Daniels seconded. All members were polled individually and assented to go into Non-Public Session. After discussion, Selectman Mannino motioned to come out of Non-Public Session at 10:30 p.m. Selectman Daniels seconded. All were in favor. No announcements were made.

7. ITEMS NOT ON THE AGENDA.

-Cover of Town Report. The historic pump house on South Street is one idea for the cover - more to follow at future meetings.

-Request for Property Tax Abatement. Chairman Amato motioned to approve the following abatement as follows, to which Selectman Daniels seconded. All were in favor.

<u>Owner</u>	<u>Location</u>	<u>Map/Lot</u>	<u>Abate-</u> <u>ment</u>
George Katsoulis	6 Farmington Road	054-004	\$1,906.02

-DOT Memorandum of Understanding. Town Administrator Chambers requested all Board members review the State of NH DOT Memo of Understanding regarding Route 101 electronic signs prior to the next Board of Selectmen meeting.

-Health Insurance Rates. Vice-Chairman Herman explained a presentation was made to employees regarding the health insurance rates and the contributions made by employees. After this was presented, there were not many complaints.

-Web Page. Diane Fitzpatrick, as a citizen, has volunteered to input the Board of Selectmen and Planning Board agendas on the Town website until a volunteer is found. The most recent agendas listed on the site are for July 2003 and the site has not been updated. All members agreed Ms. Fitzpatrick could do this until a volunteer comes forward.

-MCAA Fields. Selectman O'Connell went to the MCAA fields on Friday to meet with the State DOT who recommended investigating having the Town stencil the road with warnings such as "Slow-Children". However, there were some other interesting ideas that had not yet been discussed, such as using the Souhegan Home & Hospice Care parking lot as an entrance only and the MCAA curb cut as an exit only. Another idea was to have two curb cuts for one in and one out. The 400' site line on a State road will be tricky. Selectman Daniels asked about the use of the Souhegan Home & Hospice Care parking lot for access, which would deteriorate the pavement. Vice-Chairman Herman suggested that issue would be between MCAA and the Souhegan Home & Hospice Care.

-Warrant Article for MCAA Fields. In December 2003, the MCAA needs to come before the Board of Selectmen to request a lease or purchase of BROX land. Bill McKinney, MCAA Vice President, sent Chairman Amato an e-mail regarding the possibility of the BROX property for fields. Selectman O'Connell advised the problem with the BROX land was that it has never been decided where the fields would go and now the Town is looking at selling some of that property. Chairman Amato asked if there should be a Warrant Article to extend the MCAA Field land lease another year. Town Administrator Chambers believed a design of fields would be needed to go forward with the BROX idea. Also, MCAA had two years to think about this and has not gotten it done - a study has not been done yet. Chairman Amato will reply to Mr. McKinney that there is money in the Warrant Article for the study to be done (at

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BROX) and see if MCAA wants to lease the fields for another period of time. Vice-Chairman Herman recommended this also be run by the Recreation Director.

-Host Homes & Mediation. The Host Homes and Mediation programs need Board approval to accept the 2003/2004 County grants. Vice-Chairman Herman motioned to accept the funds for Host Homes and Mediation. Selectman O'Connell seconded. All were in favor.

8. INFORMATION ITEMS.

-Letter of Retirement Notification from Shirley Carl, Planning, and Zoning Administrative Assistant. The Board accepted the resignation letter of Shirley Carl who is retiring effective December 31, 2003. Mrs. Carl's 27 ½ years of dedicated service to the Town was remarked to be an astounding achievement.

9. ANNOUNCEMENTS.

- Shirley Carl Retirement Party. Mrs. Carl's retirement party will be held on December 10, 2003, at 6:00 p.m., in the Town Hall Auditorium.

- Town Staff Holiday Party. The holiday party for Town Staff will be held on December 19, 2003, 12:00 p.m., in the Town Banquet Hall.

-Next BOS Meeting. The next regular meeting of the Board of Selectmen will be Monday, 10 November 2003, at 5:30 p.m.

There being no further business to come before this Meeting, the Board adjourned at 10:40 p.m.

Chairman

Vice-Chairman
